

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of WILLIE J. WILLIAMS and U.S. POSTAL SERVICE,
POST OFFICE, Overland, MO

*Docket No. 02-1989; Submitted on the Record;
Issued February 5, 2003*

DECISION and ORDER

Before DAVID S. GERSON, MICHAEL E. GROOM,
A. PETER KANJORSKI

The issue is whether appellant has met his burden of proof to establish that he sustained an injury causally related to factors of his employment.

On March 9, 2001 appellant, then a 48-year-old letter carrier technician, filed an occupational disease claim, alleging that factors of employment caused radial styloid tenosynovitis and de Quervain's tenosynovitis on the left. He stopped work on March 8, 2001. In support of his claim, he submitted unsigned treatment notes, a personal statement and a job description. By letter dated May 10, 2001, the Office of Workers' Compensation Programs informed appellant of the evidence needed to support his claim. The Office advised appellant to provide a comprehensive medical report which explained how his work activities caused or contributed to his condition.

In response, appellant submitted additional medical evidence, including an operative report which indicated that on March 8, 2001 he underwent a de Quervain's release on the left. By decision dated July 25, 2001, the Office denied appellant's claim on the grounds that the medical evidence of record was insufficient to establish that a causal relationship existed between the claimed employment factors and his medical condition. In a letter dated August 22, 2001, appellant requested a hearing that was held on February 28, 2002. At the hearing appellant testified regarding the job duties he believed contributed to his condition. Appellant noted that his physicians refused to submit a report regarding causal relationship. By decision dated April 24, 2002, the Office hearing representative affirmed the July 25, 2001 decision. The instant appeal follows.

The Board finds that appellant failed to meet his burden of proof to establish that he sustained an employment-related condition.

An employee seeking benefits under the Federal Employees' Compensation Act¹ has the burden of establishing the essential elements of his or her claim² including the fact that the individual is an "employee of the United States" within the meaning of the Act,³ that the claim was timely filed within the applicable time limitation period of the Act,⁴ that an injury was sustained in the performance of duty as alleged, and that any disability and/or specific condition for which compensation is claimed are causally related to the employment injury.⁵ These are essential elements of each compensation claim regardless of whether the claim is predicated upon a traumatic injury or an occupational disease.⁶

Causal relationship is a medical issue,⁷ and the medical evidence required to establish a causal relationship is rationalized medical evidence. Rationalized medical evidence is medical evidence which includes a physician's rationalized medical opinion on the issue of whether there is a causal relationship between the claimant's diagnosed condition and the implicated employment factors. The opinion of the physician must be based on a complete factual and medical background of the claimant, must be one of reasonable medical certainty, and must be supported by medical rationale explaining the nature of the relationship between the diagnosed condition and the specific employment factors identified by the claimant.⁸ Neither the mere fact that a disease or condition manifests itself during a period of employment nor the belief that the disease or condition was caused or aggravated by employment factors or incidents is sufficient to establish causal relationship.⁹

The medical evidence in the instant case contains a number of unsigned treatment notes, apparently from Dr. Frank R. Luechtefeld, a Board-certified orthopedic surgeon, and a "Dr. Ibrahim" as well as the March 8, 2001 operative report submitted by Dr. Luechtefeld. None of these reports, however, contain an opinion regarding the cause of appellant's condition.¹⁰ The Board therefore finds that, as the record does not contain rationalized medical evidence that

¹ 5 U.S.C. §§ 8101-8193.

² See *Daniel R. Hickman*, 34 ECAB 1220 (1983); see also 20 C.F.R. § 10.110.

³ See *James A. Lynch*, 32 ECAB 216 (1980); see also 5 U.S.C. § 8101(1).

⁴ 5 U.S.C. § 8122.

⁵ See *Melinda C. Epperly*, 45 ECAB 196 (1993).

⁶ See *Delores C. Ellyett*, 41 ECAB 992 (1990); *Victor J. Woodhams*, 41 ECAB 345 (1989).

⁷ *Mary J. Briggs*, 37 ECAB 578 (1986).

⁸ *Gary L. Fowler*, 45 ECAB 365 (1994); *Victor J. Woodhams*, *supra* note 6.

⁹ *Minnie L. Bryson*, 44 ECAB 713 (1993); *Froilan Negron Marrero*, 33 ECAB 796 (1982).

¹⁰ The treatment notes, dating from May 6, 1999 through May 4, 2001, are consistent in containing diagnoses of left de Quervain's tenosynovitis.

relates appellant's left wrist condition to employment factors, he did not establish that he sustained an employment-related injury.¹¹

The decision of the Office of Workers' Compensation Programs dated April 24, 2002 is hereby affirmed.

Dated, Washington, DC
February 5, 2003

David S. Gerson
Alternate Member

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member

¹¹ The Board notes that appellant retains the right to obtain a review of the merits of his claim by showing that the Office erroneously applied or interpreted a point of law, advancing a relevant legal argument not previously considered by the Office, or submitting relevant and pertinent new evidence not previously considered by the Office. 20 C.F.R. § 10.606(b); *Arlesa Gibbs*, 53 ECAB ____ (Docket No. 01-113, issued November 2, 2001).